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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/974,624

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Alfred T. Tabayoyon JR.

SWIF 2123

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09/08/2006

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EXAMINER

AVELLINO, JOSEPH E

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060825

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**Commissioner for Patents**

The reply brief filed on August 14, 2006, has been entered and considered.

Appellant further provided a substitute Appeal Brief under MPEP 1208. However, this is only in the case of a new rejection which was presented in the Examiner's Answer. Since there was no new grounds of rejection provided in the Answer dated July 25, 2006, the Reply Brief will not be considered as a substitute for the Appeal Brief dated May 22, 2006. However, since Appellant further reiterates various arguments, the Examiner will do the same.

Appellant further argues that the combination of McMillan-Linden-Clark do not return display verification in response to clicking on a hypertext link and successfully displaying the documents.

The Examiner further has stated this feature is clearly taught by the combination of McMillan-Linden-Clark in the Answer, page 12, answer to point (1). Clark clearly discloses returning display verification in response to successfully viewing documents. Furthermore Applicant clearly admits that embedding hypertext links in emails is well known in the art (see Reply Brief, page 5, "it is known...to send email to a receiver with a hypertext link referencing the document file") and the Examiner has clearly shown that it would have been obvious to combine Clark with McMillan and Linden. See Answer, page 12, answer to point (1). The Examiner reiterates that one of ordinary skill in the art would understand the benefits of sending an email with an embedded hypertext link in the email, once the link is clicked, then the system of Clark would take over by sending the documents to be viewed, timers being set, and sending verification to the sender once the timer thresholds have been satisfied. Furthermore Appellant should be aware that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The rejection is based on the McMillan, Linden, and Clark references. By this rationale, the rejection is upheld.

The application has been forwarded to the Board of Patent Appeals and Interference for decision on the appeal.

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